

Notice of Allowability

Application No.

10/089,732

Examiner

Ha D. Ho

Applicant(s)

KIRSCHNER, TINO

Art Unit

3681

WW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 6/18/04.
2. ☒ The allowed claim(s) is/are 12,14,16,17,19,20,23 and 25-29.
3. ☒ The drawings filed on 03 April 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/08/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bujold on 8/17/04.
3. During the interview, applicant agreed to amend claim 12 to make better wording, amend claim 23 to incorporate the allowable subject matter in claim 24, amend claims 25 and 26 to change their dependency, and amend claim 28 to correct informalities. The application has been amended as follows:
 - Claim 12, line 17, "axially" has been deleted.
 - Claim 12, line 18, --,-- has been inserted after "(30)".
 - Claim 12, line 18, --axially-- has been inserted after "and".
 - Claim 23, the last line, --, and the sun gear bearing (28) and the sealing element (22) both engage with the sun gear shaft (4) and are located radially within an inner ring of a first planetary carrier bearing (30) surrounding the sun gear shaft (4)-- have been inserted after "(10)".
 - Claim 24 has been canceled.
 - Claim 25, line 1, "24" has been changed to --23--.
 - Claim 26, line 1, "24" has been changed to --23--.

Art Unit: 3681

- Claim 28, line 3, “an” has been changed to --the--.
- Claim 28, line 3, “a first” has been changed to --the--.

4. The following is an examiner’s statement of reasons for allowance:

Claim 12 has been amended to overcome the prior art. Examiner agrees with Applicant’s arguments regarding to claim 12. Claim 19 was indicated allowable. New claim 23 includes the similar allowable subject mater in claim 12.

The prior art of record does not disclose or render obvious a motivation to provide for a planetary gear including an annular gear positioned in a housing, a carrier supporting planetary gear wheels, a sun gear connected to a sun gear shaft, the sun gear shaft having a hollow receiving section for directly receiving a motor output shaft, and a sealing provided between the sun gear shaft and the housing as defined by the limitations of claims 12, 19 and 23. Claim 12 further includes a sun gear bearing located radially within an inner ring of a planetary carrier bearing and axially between an end stop of the receiving section and the planetary gear wheels, and wherein the sealing member is located on a section of the sun gear shaft that has a smaller diameter than a diameter of the receiving section. Claim 19 further includes an axial compensating element positioned axially between a face of an outer bearing ring opposite a circlip and a second functional surface of the planetary carrier. Claim 23 further includes a sun gear bearing and the sealing element both engaging with the sun gear shaft and located radially within an inner ring of a planetary carrier bearing and axially between an end stop of the receiving section and the planetary gear wheels.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 3681

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha D. Ho whose telephone number is (703) 305-0738. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

HDH
(703) 305-0738
August 17, 2004


HAHO
PRIMARY EXAMINER

Art Unit 3681

8/17/04